

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jan 28, 2022**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: John Earl Leland

Case Number: 0980 2:15CR00031-WFN-1

Address of Offender:

Moses Lake, Washington 98837

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: January 13, 2016

Original Offense: Conspiracy to Distribute 50 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(B)(viii)

Original Sentence: Prison - 70 months
TSR - 120 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison - 90 days
(07/20/2021) TSR - 9 years

Asst. U.S. Attorney: David Michael Herzog

Date Supervision Commenced: September 3, 2021

Defense Attorney: Andrea K. George

Date Supervision Expires: September 2, 2030

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 09/30/2021, and 01/06/2022.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

6

Special Condition #3: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Leland is considered to be in violation of his conditions of supervised release by using benzoylecgonine, commonly known as cocaine, on or about January 19, 2022.

Due to Mr. Leland being transported directly from custody to residential treatment, he did not sign the revocation judgment ordered by the Court on July 21, 2021. However, Mr. Leland has previously reviewed his prior judgment and commitment which held him accountable for the same terms of supervised release on December 28, 2020. Specifically,

Prob12C

Re: Leland, John Earl

January 28, 2022

Page 2

he understood he was prohibited from using controlled substances, as stated in special condition number 3.

On January 19, 2022, Mr. Leland submitted to a drug screen at Social Treatment Opportunities Program (STOP) at the direction of this officer. According to STOP, the sample tested presumptive positive for methamphetamine and cocaine. Mr. Leland denied any drug use; therefore, the sample was sent to the national lab for further testing. On January 25, 2022, this officer received notification that the sample was confirmed positive for cocaine. On January 26, 2021, this officer confronted Mr. Leland regarding the results. He continues to deny any illicit drug use.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/28/2022

s/Emely Cubias

Emely Cubias

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

01/28/2022

Date